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Date: March 6, 2002 Time Sent: \_\_\_\_\_

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FROM: Diane Valeta Direct Phone: 1-617-535-4106E-Mail: dvaleta@mwe.comClient/Matter/Tkpr: 56247-165-5561 Originals Follow by Mail: NoNumber of Pages, Including Cover: 4Re: Serial No. 09/896,520MESSAGE:

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Attorney Docket No. CSLL-628  
56247-165

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Charles Tapalian and Juha-Pekka Laine  
Serial No. 09/896,520  
Filing Date: June 28, 2001  
Title: MICRO-OPTIC ABSORPTION SPECTROMETER  
Art Unit 2878

CERTIFICATION UNDER 37 CFR § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

1-5-02  
Date

Diane Valeta

Assistant Commissioner For Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231

SECOND REQUEST FOR CORRECTION TO FILING RECEIPT

Please correct the Filing Receipt for the above-referenced application as indicated in red on the enclosed copy. In particular, please change the filing date to **06/28/01**. As supporting documentation, we are attaching a Decision Granting Petition that we received in connection with this case.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to call me at 617-535-4411.

Respectfully submitted,

By Elizabeth E. Kim  
Elizabeth E. Kim, Reg. No. 43,334  
McDERMOTT, WILL & EMERY  
28 State Street  
Boston, MA 02109  
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Date: February 5, 2002



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/896,520	06/29/2001 06/28/2001	2878	447	CSLL-628	3	23	1

Mark G. Lappin  
 McDermott, Will & Emery  
 28 State Street  
 Boston, MA 02109

**R E C E I V E D**  
 JAN 28 2002  
 MW&E

CONFIRMATION NO. 8156  
 UPDATED FILING RECEIPT



OC000000007348467

Date Mailed: 01/23/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Haig Charles Tapalian, Canton, MA;  
 Juha-Pekka Laine, Boston, MA;

## Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/214,383 06/28/2000

## Foreign Applications

If Required, Foreign Filing License Granted 08/20/2001

Projected Publication Date: 05/02/2002

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

## Title

Micro-optic absorption spectrometer

## Preliminary Class

250

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 2/7/02 - Correct Filing  
 Receipt



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Paper No. 4

MCDERMOTT WILL 7 EMERY  
 28 STATE STREET  
 BOSTON, MA 02109-1775

In re Application of  
 Charles Tapalian et al  
 Application No. 09/896,520  
 Filed: June 28, 2001  
 Attorney Docket No. CSLL-628 56247-  
 165

## COPY MAILED

OCT 23 2001

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OFFICE OF PETITIONS

OCT 26 2001

DECISION GRANTING  
PETITION

MW&amp;E

This is a decision on the petition filed September 28, 2001, which is properly treated as a petition under 37 CFR 1.10(c), requesting that the above-identified application be accorded a filing date of June 28, 2001, rather than the presently accorded filing date of June 29, 2001.

Applicants allege that the application was deposited in "Express Mail" service with the U.S. Postal Service, on June 28, 2001. In support, applicants provided a copy of the Express Mail label, receipt no. EL721016725US, showing a Date-In of June 28, 2001. The same Express Mail receipt number was referred to in the copy of the original application transmittal letter submitted with the present petition. Applicants request that the application be accorded a filing date of June 28, 2001.

The Office considers the date the paper or fee is shown to have been deposited as "Express Mail" to be the "Date In" on the Express Mail label, MPEP 513. That is the date that verifies that the package was actually mailed. In view of the above, the evidence is convincing that the application was deposited as "Express Mail" with the US Postal Service on June 28, 2001.

The petition is granted. The \$130.00 petition fee is being credited to counsel's deposit account.

The application is being returned to Initial Patent Examination Division to await applicants' response to the Notice mailed August 21, 2001, and for correction of the filing date to June 28, 2001.

Telephone inquiries specific to this matter should be directed to Wan Laymon at (703) 306-5685.

*Sherry Brinkley*  
 Sherry Brinkley  
 Petitions Examiner  
 Office of Petitions

Office of the Deputy Commissioner  
 for Patent Examination Policy